

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/28/2001

11/06/2001

CLERK OF THE COURT
FORM R109B

HONORABLE LINDSAY ELLIS

Sa. Enteman
Deputy

CR 2001-014404

FILED: _____

STATE OF ARIZONA

LEONARDO L RUIZ

v.

ZACK J STEWART
DOB: 11/24/78

JOHN JOSEPH HOUSTON

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CCC
VICTIM WITNESS DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:12 a.m. This is the time set for Sentencing. State is represented by Kurt Mills for above-named counsel. Defendant is present and represented by Patricia Riggs for above-named counsel.

Court Reporter, Monica Kinnamon, is present.

The Defendant is advised of the charge, the determination of guilt and is given the opportunity to speak.

Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived his/her right to a trial with or without a jury, his/her right to confront and cross examine witnesses, his/her right to testify or remain silent and his/her right to

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present evidence and call his/her own witnesses after having been advised of these rights. The determination of guilt was based upon a plea of GUILTY.

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the crimes of:

OFFENSE: AMENDED COUNT 1: THEFT, a class 6 UNDESIGNATED, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-1802, 1801, 701, 702, 707, 802, 801 committed on BETWEEN 04/12/01 AND 06/14/01.

Upon consideration of the offense, the facts, law and circumstances involved in this case, the Court finds that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

As punishment for this crime(s),

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation as to Count(s) 1 for a period of **1 YEAR commencing 11/06/01** under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order suspending sentence and Order imposing terms of probation signed by the Court.

As a condition of probation,

IT IS ORDERED that the Defendant pay a monthly probation service fee to the Clerk of the Superior Court of Maricopa County at a rate of **\$40.00 commencing on 12/01/01** and due on the same day of each month thereafter during the term of probation.

RESTITUTION: IT IS ORDERED the Defendant shall make and pay restitution to the victim(s) of this crime, for the economic

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loss of the victim(s), through the Clerk of the Superior Court in the total amount of **\$1680.48**. Restitution is owed in the following amounts to the following persons:

Abercrombie & Fitch Attn: Jay Tubaugh \$1680.48

Payment is to be made in regular monthly payments of **\$75.00 commencing 12/01/01** and on the same day of each month thereafter until paid in full.

Restitution ledger provided.

IT IS ORDERED that the Defendant pay an assessment in the amount of **\$20.00** to the Clerk of the Superior Court of Maricopa County as follows:

Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

Payment is to be made on or before 12/01/01.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance and signature. The Defendant agrees to the stated waiver of extradition. The Defendant is advised concerning the consequences of failure to abide the conditions of probation.

The Court advises Defendant of the rights of review and provides written notice of those rights.

FILED: Conditions of Probation and Notice of Rights of Review after Conviction.

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Defendant's thumbprint is permanently affixed to this
sentencing order in open court.

10:19 a.m. Matter concludes.

/s/ HONORABLE LINDSAY ELLIS
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)